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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

12
13 IN RE SUNPOWER CORPORATION
14 DERIVATIVE LITIGATION

) Lead Case No.: 3:24-cv-00247-RFL
)
) **STIPULATION AND ~~PROPOSED~~**
) **ORDER CONSOLIDATING ACTIONS**
)

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16 This Document Relates To:

17 ALL ACTIONS.
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STIPULATION AND ~~PROPOSED~~
ORDER CONSOLIDATING ACTIONS

CASE NOS.: 3:24-cv-00247-RFL
3:24-cv-02799-RFL

GALEN BRADFORD and GARY BROWN,
derivatively on behalf of SUNPOWER
CORPORATION,

Plaintiff,

V.

NATHANIEL ANSCHUETZ, JONATHAN
BRAM, GUTHRIE DUNDAS, ELIZABETH
EBY, PETER FARICY, JONATHAN
FIELDSEND, VINAYAK HEGDE, STEVEN
LOUDEN, THOMAS MCDANIEL, NATHALIE
PORTES-LAVILLE, VINCENT STOQUART,
and AUDREY ZIBELMAN,

Defendants,

and

SUNPOWER CORPORATION,

Nominal Defendant.

STIPULATION AND ~~[PROPOSED]~~ ORDER CONSOLIDATING ACTIONS

CASE NOS.: 3:24-cv-00247-RFL
3:24-cv-02799-RFL

1 Plaintiffs Jianping Ma and Ashley Beall in *In re SunPower Corporation Derivative*
 2 *Litigation*, No. 3:24-cv-00247-RFL, Plaintiffs Galen Bradford and Gary Brown in *Bradford, et al.*
 3 *v. Anschuetz, et al.*, No. 3:24-cv-02799-RFL (collectively, with Ma and Beall, “Plaintiffs”), and
 4 Nominal Defendant SunPower Corporation (“SunPower”) and Defendants Peter Faricy, Guthrie
 5 Dundas, Elizabeth Eby, Nathaniel Anschuetz, Jonathan Bram, Jonathan Fieldsend, Vinayak
 6 Hegde, Steven Loudon, Thomas McDaniel, Nathalie Portes-Laville, Vincent Stoquart, and Audrey
 7 Zibelman (together with SunPower, “Defendants”) (Defendants and Plaintiffs, the “Parties”)
 8 jointly submit this stipulation to consolidate the above-captioned related derivative actions, and in
 9 support thereof state as follows:

10 WHEREAS, on October 27, 2023, a securities class action later captioned *In re SunPower*
 11 *Corporation Securities Litigation*, No. 3:23-cv-05544-RFL was filed (the “Securities Class
 12 Action”);

13 WHEREAS, on January 12, 2024, a related derivative action captioned *Ma v. Faricy, et*
 14 *al.*, No. 3:24-cv-00247-RFL was filed (the “*Ma* Action”);

15 WHEREAS, on January 18, 2024, a related derivative action captioned *Beall v. Faricy, et*
 16 *al.*, No. 3:24-cv-00302-RFL was filed (the “*Beall* Action”);

17 WHEREAS, on February 22, 2024, the Court consolidated (the “Consolidation Order”) the
 18 *Ma* Action and the *Beall* Action under the caption *In re SunPower Corporation Derivative*
 19 *Litigation*, No. 3:24-cv-00247-RFL (the “Consolidated Derivative Action”) (Consolidated
 20 Derivative Action, ECF Nos. 12, 13);

21 WHEREAS, on March 14, 2024, the Court entered the Stipulation and [Proposed] Order
 22 Regarding Case Schedule and Temporary Stay of Action in the Consolidated Derivative Action
 23 (the “Stay Order”), which, among other things, stayed the Consolidated Derivative Action pending
 24 resolution of the motion to dismiss in the Securities Class Action (Consolidated Derivative Action,
 25 ECF No. 16);

26 WHEREAS, on May 9, 2024, another derivative action captioned *Bradford, et al. v.*
 27 *Anschuetz, et al.*, No. 3:24-cv-02799-RFL was filed (the “*Bradford* Action”);

WHEREAS, on June 20, 2024, the Court related the *Bradford* Action to the Consolidated Derivative Action (Consolidated Derivative Action, ECF No. 18);

WHEREAS, the Consolidation Order provides that “Co-Lead Counsel shall move to consolidate into the Consolidated Action (either via stipulation or by administrative motion after meeting and conferring) any related later shareholder derivative actions filed in this Court” (Consolidated Derivative Action, ECF No. 13);

WHEREFORE, the Parties, through their undersigned counsel, hereby agree, stipulate, and respectfully request that the Court enter an order as follows:

1. The *Bradford* Derivative Action is hereby consolidated for all purposes, including pretrial proceedings, trial, and appeal, with the Consolidated Derivative Action.
2. All case management and related deadlines and any other deadlines in the *Bradford* Derivative Action are vacated.
3. The Clerk is directed to close the *Bradford* Derivative Action.
4. For the avoidance of doubt, all provisions of the Consolidation Order and the Stay Order remain in effect.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

Dated: June 21, 2024

By: /s/ Katherine L. Henderson
Katherine L. Henderson

*Attorneys for Defendants and
Nominal Defendant*

THE BROWN LAW FIRM, P.C.

Dated: June 21, 2024

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*Co-Lead Counsel for Plaintiffs Jianping Ma and
Ashley Beall*

BRAGAR EAGEL & SQUIRE, P.C.

Dated: June 21, 2024

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Brown*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 21, 2024


HON. RITA F. LIN
U.S. DISTRICT JUDGE

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Katherine L. Henderson, am the ECF User whose identification and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all signatories have concurred in this filing.

Dated: June 21, 2024

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Katherine L. Henderson
Katherine L. Henderson

*Attorneys for Defendants and
Nominal Defendant*